

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNIVERSITAS EDUCATION, LLC, :

Petitioner, : 11 Civ. 1590 (LTS) (HBP)

-against- : ORDER

NOVA GROUP, INC., :

Respondent. :

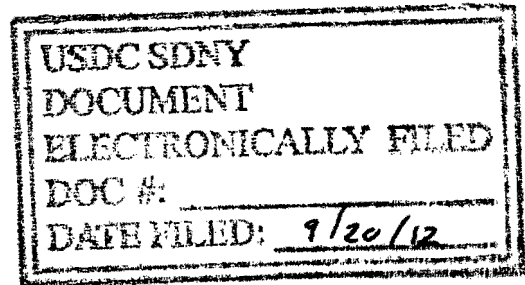
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PITMAN, United States Magistrate Judge:

A conference having been held in this matter on September 19, 2012, during which certain discovery and other matters were discussed, for the reasons stated on the record in open court, it is hereby ORDERED that:

1. Plaintiff may serve and file its motion for contempt. My granting plaintiff leave to serve and file its motion is not an expression of opinion concerning the merits of such a motion.

2. The deposition of Jack E. Robinson, Esq. shall be conducted at the Courthouse on a mutually convenient date, said date to be no later than October 19, 2012. Plaintiff may videotape the deposition if it wishes to do so. Plaintiff's counsel is directed to contact my Deputy, Mr. Bruce Hampton ((212) 805-6112) to make




arrangements for a room. Because the issues will probably arise at the deposition and in order to avoid delay, counsel attending the deposition should be prepared to address the scope of the attorney-client privilege and the crime-fraud exception to the privilege.

3. The depositions of Messrs. Carpenter and Bursey shall be conducted at the Courthouse on a mutually convenient date, said date to be no later than October 19, 2012. Plaintiff may videotape the depositions if it wishes to do so. Plaintiff's counsel is directed to contact my Deputy, Mr. Bruce Hampton ((212) 805-6112) to make arrangements for a room.

4. Ballard Spahr LLP, Fox Rothschild LLP, Halloran & Sage LLP, Updike Kelly & Spellacy, P.C., and Smith, Gambrell & Russell, LLP are directed to comply with the subpoenas plaintiff previously served on them no later than October 3, 2012.

Dated: New York, New York  
September 20, 2012

SO ORDERED



HENRY PITMAN  
United States Magistrate Judge

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